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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,510	08/18/2003	Koichi Otsuki	Q76995	1667
23373	7590	11/14/2007		
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER BRINICH, STEPHEN M	
			ART UNIT	PAPER NUMBER
			2625	
			MAIL DATE	DELIVERY MODE
			11/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10642510	8/18/03	OTSUKI, KOICHI	Q76995

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EXAMINER

Stephen M. Brinich

ART UNIT	PAPER
2625	20071102

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Office Action Summary

Application No.

10/642,510

Applicant(s)

OTSUKI, KOICHI

Examiner

Stephen M. Brinich

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-12 and 14-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-12 and 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/23/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1, 4-12, & 14-16 are rejected under 35 U.S.C. 102(a) as being anticipated by Nunokawa et al (US 7008125 cited as English translation of WO02/053389, published 7/11/2002).

Re claims 1, 7, & 10, Nunokawa et al discloses (column 1, line 58 - column 2, line 16; Figures 5-6) a recording medium (a canister of roll paper and an associated memory) and an control method and means (using a control circuit 50, readable upon the recited "computer") using a correction amount (the remaining amount of the recording medium) which is stored into (Figure 6, step S190) and read out from (Figure 6, steps S180, S196) the memory. Specifically, Nunokawa et al discloses (column 10, line 63 - column 11, line 15) that the carry feed amount by which the paper is driven is corrected based on correction amount (the remaining amount of the recording medium).

Re claims 1, & 6-12, Nunokawa et al further discloses (column 7, lines 30-33) that the printer is an inkjet printer that ejects ink that lands on the recording medium to form an image.

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Re claims 4, & 8, Nunokawa et al further discloses (column 4, lines 46-60) reading and writing of the information describing the remaining amount of recording medium to and from the memory.

Re claims 5 & 8, Nunokawa et al further discloses (column 4, lines 61-66) noncontact reading and writing of the memory.

Re claim 11, Nunokawa et al further discloses (column 7, lines 42-43) a display 112.

Re claim 14, Nunokawa et al further discloses (column 2, lines 19-20) that the recording medium feed amount is regulated in accordance with the type of recording medium.

Re claims 15-16, the printing of paper from a roll inherently changes the remaining amount of paper in a step-by-step manner (decrementing the remaining amount by one unit per unit of paper printed) throughout a period during which a printing process is performed.

Response to Arguments

3. Applicant's arguments re the rejection of claim 12 under 35 USC §112 (8/28/07 Remarks: page 6, lines 5-8) have been fully considered and are persuasive. The rejection of claim 12 under 35 USC §112 has been obviated by its cancellation.

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4. Applicant's arguments (8/28/07 Remarks: page 6, line 10 - page 7, line 5) have been fully considered but they are not persuasive.

Re claim 1, Applicant argues (8/28/07 Remarks: page 6, line 10 - page 7, line 1) that "Nunokawa's memory merely stores a remaining amount of a recording medium" [emphasis in original] as distinguished from "a correction amount that is set in accordance with a remaining amount of a recording medium" [emphasis in original], and that this correction amount is "for correcting a target carry amount".

However, in the absence of some recited specific details for how the "correction amount" is "set in accordance with a remaining amount of a recording medium", the setting of the former as a quantity equal to the latter reads upon the recited relationship. As noted above, Nunokawa et al discloses (column 10, line 63 - column 11, line 15) this quantity is used for correcting a target carry amount (paper feed amount).

Re claims 8-12, Applicant argues (8/28/07 Remarks: page 7, lines 1-4) that claims 8-12 recited similar features to claim 1 and are allowable for the same reasons.

Applicant's arguments re claim 1 have been addressed above.

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Re claims 4-7 & 14-16, Applicant argues (8/28/07 Remarks: page 7, lines 4-5) that claims 4-7 & 14-16 are allowable by virtue of their dependency (from claim 1).

Applicant's arguments re claim 1 have been addressed above.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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6. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application, entry of papers into this application, or other any inquiries of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

The examiner's unit designation has been changed from "Art Unit 2624" to "Technology Division 2625" (as of March 20, 2006).

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is (as of July 15, 2005) 571-273-8300.

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Hand-carried correspondence may be delivered to the
Customer Service Window, located at the Randolph Building, 401
Dulany Street, Alexandria, VA 22314.

Stephen M Brinich
Examiner
Technology Division 2625

smb *SMB*
November 2, 2007



Richard D. Lee
PRIMARY EXAMINER